

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT**

I, Ashley Davis, Special Agent with the Federal Bureau of Investigation (FBI), Kansas City, Missouri, being duly sworn, depose and state as follows:

1. As a Special Agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States. At all times throughout this affidavit I use the term “child pornography” merely as shorthand to refer to visual depictions of actual minors engaged in sexually explicit conduct. I use the terms “visual depiction,” “minor,” and “sexually explicit conduct” as those terms are defined in violation of 18 U.S.C. § 2256.

2. I have been employed as a Special Agent for the FBI since January 2007. As part of my duties as a Special Agent, I am assigned to investigate violations of federal law, specifically the online exploitation of children. This includes violations pertaining to the illegal possession, receipt, transmission, and production of material depicting the sexual exploitation of minors. I have had numerous hours of professional law enforcement training in the detection and investigation of criminal offenses. I have written, executed, and/or participated in the execution of numerous search warrants. Specifically pertaining to the area of child pornography and child exploitation investigations, I have gained expertise in these investigations through training, discussions with other law enforcement officers, and everyday work related to conducting these types of investigations.

3. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search one Apple iPhone belonging to Henry Ludwikoski, (hereinafter the “**SUBJECT DEVICE**”) which is more particularly described in **Attachment A**, for the things specified in **Attachment B** hereto, which items constitute contraband,

instrumentalities, and evidence of violations of 18 U.S.C. §§ 2251, 2252 and 2423. The **SUBJECT DEVICE** is currently in law enforcement possession at the FBI Kansas City Field Office located at 1300 Summit Street, Kansas City, Missouri.

4. Since this affidavit is being submitted for the limited purpose of showing that there is probable cause for the requested warrant, I have not included each and every fact known to me concerning this investigation.

**BACKGROUND OF THE INVESTIGATION AND PROBABLE CAUSE**

5. On or about September 11, 2020, Independence Police Department (IPD) received a complaint from C.T. regarding her 10-year-old daughter, identified herein as Minor Victim (“MV”). C.T. indicated MV was contacted via Snapchat by an adult male using the display name Jim Lay, username slimjim5500. Slimjim5500 engaged in sexually explicit conversations with MV and also sent MV images of his erect penis and videos of himself masturbating. Slimjim5500 also expressed an interest in meeting MV for sexual intercourse.

6. On or about September 16, 2020, IPD Detective Chad Cox contacted FBI Kansas City Division to request assistance in the investigation. Detective Cox obtained consent from C.T. for Affiant to assume MV’s Snapchat account and attempt to communicate with slimjim5500. MV’s Snapchat account was identified as username [REDACTED]

7. On or about September 22, 2020, Detective Cox provided affiant with a picture of three Caucasian males sitting in a vehicle, which was sent to MV by slimjim5500 during one of their conversations on Snapchat. Slimjim5500 told MV he was the male in the backseat wearing a black sweatshirt with the words “Virginity Rocks” printed on the front.

8. Between September 17, 2020 and October 19, 2020, Affiant communicated with slimjim5500 in an undercover capacity using MV's Snapchat account, [REDACTED]. The following are excerpts of the conversations between Affiant and slimjim5500. This is not intended to be a verbatim account of the entire contents of the conversations (grammar and punctuation as in original).

**SNAPCHAT MESSAGES BETWEEN AFFIANT AND SLIMJIM5500**

**September 17, 2020 – September 21, 2020**

[REDACTED] I can't talk here cuz my dad will know. I have kik tho

Slimjim5500 sent a picture of his erect penis. A blue blanket was also visible in the image.

[REDACTED] Mmm nice daddy

slimjim5500: U like that

slimjim5500: When are we fuckin

[REDACTED] When do u wanna

slimjim5500: Tonight

[REDACTED] Where at

slimjim5500: My house now

[REDACTED] Where u live

slimjim5500: Lenexa

[REDACTED] Lol and how am i supposed to get there

slimjim5500: Ima come get u tonight

slimjim5500: We gon fuck in my car

[REDACTED] Where u wanna meet then

slimjim5500: We fuckin in my car

[REDACTED] Yeah ok but where the fuck am I meetin u

[REDACTED] U can't pick me up at my house

slimjim5500: Idc

slimjim5500: Wherever is fine

[REDACTED] I can try to get a ride or just walk somewhere

[REDACTED] What time

slimjim5500: Now

[REDACTED] Where at? I'm in independence

slimjim5500: Hold on I'm fucking my sister rn

[REDACTED] Lol ok whatever

Slimjim5500 sent a picture depicting an adult woman sitting in front of an adult male with her hands wrapped around his erect penis. The female's face is only partially visible.

slimjim5500: She's 13

[REDACTED] Why would u send me that

**September 22, 2020**

slimjim5500: Yo

[REDACTED] Wyd

slimjim5500: Wish I was doin u

[REDACTED] Yeah u were supposed to show up late nite wtf

slimjim5500: I passed out

slimjim5500: Wyd rn

[REDACTED] Uh no waitin on u but u leave me hangin

[REDACTED] Getting ready for school

slimjim5500: I have a real question for u

slimjim5500: Why don't u send pics like nudes or face of anything?

[REDACTED] I did wtf?

slimjim5500: One pic of ur face

slimjim5500: That's it

slimjim5500: I wanna see more

slimjim5500: Your body your face

slimjim5500: Everything

slimjim5500: Everytime I ask u avoid me

[REDACTED] Yeah well u ghost me all the time. Send me a msg then don't respond for 6 hours. No thanks

slimjim5500: We talkin rn

[REDACTED] Yeah rn

slimjim5500: And I sleep

slimjim5500: If I'm not responding I'm asleep

[REDACTED] U keep sayin oh we gonna fuck in my car then don't show

slimjim5500: I'm low key scared u gonna tell cause u underage

[REDACTED] Wtf would I do that for

slimjim5500: How old r u again

[REDACTED] My parents don't give a shit about me

[REDACTED] 10

[REDACTED] Wbu

slimjim5500: You've fucked before?

[REDACTED] Lol no but tryna

slimjim5500: I'm 20

slimjim5500: I really wanna fuck you but I could ruin my life

[REDACTED] Well why u msging me then

slimjim5500: Cause I wanna fuck u

[REDACTED] Well fuckin be about it then

slimjim5500: Ight

slimjim5500: Where u from

[REDACTED] Independence MO

[REDACTED] U?

slimjim5500: Kansas

slimjim5500: I'll drive but on god u can't tell nobody

slimjim5500: My life would be fuckin ruined

[REDACTED] Fuck ok daddy

[REDACTED] When we meetin up bae

slimjim5500: Tonight around 2 am

[REDACTED] 2am? I don't know, what if ur a fuckin creep

slimjim5500: Midnight?

slimjim5500: I ain't a creep I just wanna have someone to fuck often

slimjim5500: Preferably young

slimjim5500: Like u

[REDACTED] Why can't u meet earlier? I could walk down to a park or  
sumthin

slimjim5500: Mmhmm

slimjim5500: Can I take u to my place?

[REDACTED] So yeah I could lie and say I'm gonna see a friend. Then we got to ur place...but it'd have to be earlier

[REDACTED] I can't be driving to fuckin KS at 12am

slimjim5500: U can drive?

[REDACTED] No wtf I meant wit u

slimjim5500: Lol um

slimjim5500: Let's just fuck at a parking lot by your place

[REDACTED] Kk

slimjim5500: U like anal?

[REDACTED] Lol I've never done anal

[REDACTED] I got that wap tho

slimjim5500: U like to fuck

[REDACTED] I dunno told u never done it

slimjim5500: U done anything sexual before?

[REDACTED] U gonna show me?

slimjim5500: Show u what

[REDACTED] Uhm like kissin and some oral

slimjim5500: What's the biggest dick you've handled?

[REDACTED] Sex bae

[REDACTED] I dunno seemed pretty big to me

slimjim5500: I'm 8"

[REDACTED] Oh lol that sounds huge

slimjim5500: Was he bigger than this

Slimjim5500 sent a picture of an adult male holding an erect penis. Only the male's penis and legs are visible in the image.

[REDACTED] Don't think so

slimjim5500: U said u got wap

[REDACTED] Yah

slimjim5500: Lemme see dat then

[REDACTED] Rn?

slimjim5500: Yea

slimjim5500: Rn

[REDACTED] I'm not puttin my shit out there til u actually show up

[REDACTED] Not tryna be on expose hoes

slimjim5500: I'm tryna fuck not expose

slimjim5500: Plus u 10 if I post it I go to jail

slimjim5500: So lemme see that

[REDACTED] Uh yah but u tryna fuck sooooo

slimjim5500: Just for the one time no screenshot

[REDACTED] It's 8am, I got school. Send u the wap later if u show up

slimjim5500: Can we still talk

slimjim5500: During school

slimjim5500: Do u only want me to fuck you or can I fuck other people

[REDACTED] Yah I can talk btw class

[REDACTED] U tryna fuck other ppl too?

slimjim5500: I'm asking u



[REDACTED] U got a gf?

slimjim5500: Nah

[REDACTED] Kk

slimjim5500: Just asking if it's cool if I do fuck other girls or do u want me to only fuck you

[REDACTED] I'd prefer it's me bae but u do u

slimjim5500: Would u mind a 3-4 way with ur friends?

[REDACTED] I'm not fuckin around wit anyone else

[REDACTED] Lol I can ask around if u want

slimjim5500: Pls do

[REDACTED] Tryna be on the DL til we meet tho, fr fr

slimjim5500: U have any friends that need dick

[REDACTED] All my friends lol but maybe 2 who have bfs and gettin it from them

slimjim5500: How old r your friends

[REDACTED] 10-12

slimjim5500: Perfect

slimjim5500: Can I have snaps?

slimjim5500: Or make a group

[REDACTED] Yah but gotta dip for now, got class

[REDACTED] Msg u later bae

slimjim5500: U said we can talk while u in class

[REDACTED] Btw classes or I get my phone taken away

slimjim5500: U wanna get dick pics for when u get back?

[REDACTED] Lol I dunno, surprise me

slimjim5500: I will

slimjim5500: I wish u fucked everyday that would be so hot

slimjim5500: If you were a complete whore

**September 22, 2020**

[REDACTED] U there

slimjim5500: Yes

slimjim5500: Hi

slimjim5500: Done with school?

[REDACTED] Not yet but in a couple hours

slimjim5500: U busy rn?

[REDACTED] Starting class in a few mins but not rn

slimjim5500: Wap pic? Real quick?

[REDACTED] Lol I'm in class it just hasn't started

slimjim5500: So?

[REDACTED] So? what do u mean so lol

slimjim5500: Step away for 10 seconds and send it

[REDACTED] Wtf do u kno what wap is

slimjim5500: Wet ass pussy

[REDACTED] Yah and where u wantin me to take a pic like that

slimjim5500: I just want a pic of it idc if it's wet or not

[REDACTED] Of my pussy?

slimjim5500: Yes

Slimjim5500 sent a picture of an adult male holding an erect penis. Only the male's penis and legs are visible in the image.

[REDACTED] Ok I'll try brb

slimjim5500: Plssss

Slimjim5500 sent another picture of the same male holding an erect penis. Only the male's penis and legs are visible in the image.

[REDACTED] Ok I said I'll try give me a min

Slimjim5500 sent two additional pictures of the same male holding an erect penis. Only the male's penis and legs are visible in the image.

slimjim5500: Any chance I get the pic?

slimjim5500: I guess I'm gonna get some sleep

[REDACTED] Get some sleep? U don't work or what

[REDACTED] I'm gonna take a pic, just waiting to go to the bathroom

Affiant sent an image of a female Agent's cubital fossa with underwear as an imitation of the vulva (not of an actual child).

slimjim5500: That isn't your pussy

slimjim5500: Spread your legs and take a pic...

[REDACTED] Lol I'm at school u gotta wait

slimjim5500: Okay

slimjim5500: U want more dick?

[REDACTED] In person?

slimjim5500: Pics

[REDACTED] What's ur plan tonite

slimjim5500: Ima come pick u up somewhere and we gonna go drive for a little then find a spot to fuck for a while

[REDACTED] Ight...if ur really comin

slimjim5500: I hope your Fr and not a setup

[REDACTED] Wtf I'm the only one not playin games

[REDACTED] U fuckin ghost me all the time

[REDACTED] I'm tryna be real wit u bae

slimjim5500: U tried to send me a fake pussy pic haha

slimjim5500: Ight then we good

[REDACTED] Lol I know u want it

slimjim5500: I do

slimjim5500: We fuckin raw right

[REDACTED] Kk...I'm close to 291 and 24

[REDACTED] U know where that is

slimjim5500: Kinda

[REDACTED] I can try to grab a ride or walk somewhere

slimjim5500: I prefer u walk

slimjim5500: And your really 10 yrs old right or are u older

[REDACTED] Wtf no I told u I'm 10. I lied before bc I didn't think u wanna fuck wit me

[REDACTED] R u really 20

slimjim5500: Yes is that ok?

[REDACTED] Yeah u got experience right

slimjim5500: Lots

[REDACTED] U gonna take care of me?

slimjim5500: I'll make sure

[REDACTED] U better not be fuckin around daddy

slimjim5500: I'm not

slimjim5500: Depends if u want me to be gentle or fuck you hard

[REDACTED] Can u be gentle at first

slimjim5500: Yes

[REDACTED] Ight then

slimjim5500: Can u try to handle anal

[REDACTED] The first time?? I dunno...I guess I could try

slimjim5500: Can u suck dick good

[REDACTED] The best

slimjim5500: How many guys

[REDACTED] Only a couple...is that ok

slimjim5500: Yes

slimjim5500: U like older guys?

[REDACTED] Yah ur more mature

[REDACTED] Guys my age are fucking stupid

slimjim5500: True

Slimjim5500 sent another picture of the same male holding an erect penis. Only the male's penis and legs are visible in the image.

slimjim5500: Can u take all that

[REDACTED] Mmmmm I can daddy

slimjim5500: I'll bring a towel your gonna bleed hella

[REDACTED] How u know that??

slimjim5500: I'm popping your cherry

[REDACTED] U done that before?

slimjim5500: Yes

slimjim5500: I'm really big

slimjim5500: And I like to fuck very young girls

slimjim5500: It's very often I pop cherrys

[REDACTED] Oh u got lots of experience

slimjim5500: Body count is 16

[REDACTED] Oh I hope u like what I got

slimjim5500: Haven't seen it

slimjim5500: U won't show me

[REDACTED] Cuz u not showing up

[REDACTED] I'll show u in person

slimjim5500: I wanna see it before

slimjim5500: I wanna know what I'm workin wit

slimjim5500: Different kinds of pussy need certain treatment

[REDACTED] Lol yah ok it's all the same

slimjim5500: It's really not

slimjim5500: I would know

[REDACTED] Ur eyes only first

[REDACTED] I'll send a pic if u stay wit me after tonite

slimjim5500: I ain't finna date u

slimjim5500: We just fuckin

slimjim5500: U want good dick and I give it to u

██████████ Ok I'll walk over to McDonalds on 24 Hwy tonite

██████████ Around 10pm?

slimjim5500: I'll lyk when

██████████ Wtf u playin games again

slimjim5500: Nah

██████████ U got a girl at home

slimjim5500: I'm just gonna let u know when I'm leaving so u leave same time

slimjim5500: So u not waiting on me

slimjim5500: And no I don't

██████████ U live in KS. I live 2 mins from the McDonalds it ain't that far

slimjim5500: Ight then 10 pm

slimjim5500: I'll be there at 10:30

██████████ U know the one? Off Independence Ave and 291

slimjim5500: I google mapped it

slimjim5500: It's 27 mins away

██████████ How will I know it's u? What type of car?

slimjim5500: I'll tell u my car when I get in the area

slimjim5500: I trust u but I'm being careful

██████████ Yah I'm tryna be careful too

slimjim5500: Good

slimjim5500: Let' both be

slimjim5500: So neither of us get in trouble

[REDACTED] Im not just gonna come out if I don't know where u r

slimjim5500: I'll tell u when I'm there

slimjim5500: When I see u alone I'll lyk what car is mine

[REDACTED] Ight

slimjim5500: But ima take a nap I haven't slept all day

slimjim5500: I set an alarm for 8pm so I'm up

[REDACTED] Ight bae

[REDACTED] See u soon

[REDACTED] Wyd bae

[REDACTED] Wassup

[REDACTED] Should I walk over or what

[REDACTED] Wtf? Lemme know if ur not comin, I'm goin to sleep if not<sup>1</sup>

**September 23, 2020 – September 28, 2020**

slimjim5500: Omg I'm so sorry I passed out passed my alarm

[REDACTED] Yah whatever

Slimjim5500 sent another picture of the same male holding an erect penis. Only the male's penis and legs are visible in the image.

[REDACTED] Wyd

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<sup>1</sup> On September 22, 2020, members of FBI Kansas City Division and IPD conducted surveillance in proximity to the McDonalds where Affiant and Ludwikoski had agreed to meet. Ludwikoski did not arrive at this meeting.



Slimjim5500 sent two additional pictures of the same male holding an erect penis. Only the male's penis and legs are visible in the image.

[REDACTED] Wyd bae

September 29, 2020

slimjim5500: Wyd today

[REDACTED] School

[REDACTED] Wbu?

slimjim5500: Need pussy

slimjim5500: Rn

Slimjim5500 sent a picture of an adult male holding an erect penis. Only the male's penis and legs are visible in the image.

[REDACTED] And?

slimjim5500: U need dick rn?

[REDACTED] Yah

slimjim5500: Can I come over

[REDACTED] Yah sure what time

slimjim5500: Rn

[REDACTED] I'm outta school at 3

slimjim5500: Your parents don't care if I come fuck

[REDACTED] Uh yeah? I'd have to leave the house

slimjim5500: Damn

slimjim5500: Hmm

[REDACTED] I could walk to McDonalds?

slimjim5500: Okay

[REDACTED] Time

slimjim5500: Tonight

[REDACTED] I thought u needed it rn

slimjim5500: U got school

[REDACTED] Yah but only til 3

slimjim5500: Okay

slimjim5500: 3:30

[REDACTED] R u actually showing up this time or naw

slimjim5500: Yes

slimjim5500: If I can see that ass

[REDACTED] Yah

slimjim5500: Rn

[REDACTED] Wtf rn? In class

slimjim5500: After class

[REDACTED] Kk

slimjim5500: I'm fucking someone rn but I want those nudes ASAP

[REDACTED] Whatever u playin again

slimjim5500: Nah

slimjim5500: She's 11

[REDACTED] Then u don't need me

slimjim5500: I want u

[REDACTED] Yah ok

slimjim5500: Your telling me you don't let your family fuck u

[REDACTED] No

slimjim5500: Tf why

[REDACTED] Wtf would I

slimjim5500: It's hot

[REDACTED] Ok I guess

slimjim5500: U let your dad fuck

[REDACTED] I told u no

slimjim5500: Brother?

[REDACTED] Ight bye

slimjim5500: Friends?

[REDACTED] I already told u I haven't fucked

slimjim5500: Until today

[REDACTED] Yah we'll see

slimjim5500: I'm gonna fuck ur ass too

[REDACTED] U talkin big

slimjim5500: I'm gonna use you

slimjim5500: Like a pocket pussy

[REDACTED] If u don't fall asleep this time

slimjim5500: U want me to put u to sleep or can u take it

[REDACTED] I can take it

slimjim5500: How do u know

[REDACTED] Cuz u talkin big game but u won't show lol

slimjim5500: I will lol

[REDACTED] Hah we see

[REDACTED] U there

[REDACTED] Wtf? We meetin or what

[REDACTED] I'm goin back to the house if ur not comin<sup>2</sup>

**September 30, 2020**

Slimjim5500 sent another picture of an adult male holding an erect penis. Only the male's penis and legs are visible in the image.

**October 01, 2020**

Slimjim5500 sent two additional pictures of an adult male holding an erect penis. Only the male's penis and legs are visible in the image. The words "Wyd baby" were typed on the second image.

slimjim5500: I'm at the McDonald's if u need dick rn

**October 02, 2020**

Slimjim5500 sent another picture of an adult male holding an erect penis. Only the male's penis and legs are visible in the image.

**October 15, 2020**

Slimjim5500 sent three pictures of an adult male holding an erect penis. Only the male's penis and legs were visible in the images.

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<sup>2</sup> On September 29, 2020, members of FBI Kansas City Division and IPD conducted surveillance in proximity to the McDonalds where Affiant and Ludwikoski had agreed to meet. Ludwikoski did not arrive at this meeting.

**SUBJECT IDENTIFICATION**

9. On September 17, 2020, Affiant sent an administrative subpoena to Snap, Inc., requesting subscriber information, including internet protocol (IP) address history, pertaining to username slimjim5500. On October 09, 2020, a representative of Snap, Inc., provided writer with this information. The only IP address noted between July 11, 2020, and September 17, 2020 was 136.33.194.50. A check of the American Registry for Internet Numbers (ARIN) indicated the internet service provider for this IP address was Google Fiber, Inc.

10. On October 14, 2020, Affiant sent an administrative subpoena to Google, LLC requesting subscriber information associated with the IP address 136.33.194.50. On December 11, 2020, Google, LLC responded and identified the subscriber's first name as Henry. No last name was provided. The telephone number (913) 575-7207 and the email address HenryDLudwikoski@gmail.com were both associated with the account. The subscriber address was listed as [REDACTED] Lenexa, Kansas 66219.

11. On November 05, 2020, C.T. received a message in Snapchat from S.S., who contacted C.T. using the slimjim5500 account. S.S. identified slimjim5500 as Henry Ludwikoski from Lenexa, Kansas. S.S. indicated she was Ludwikoski's girlfriend and Ludwikoski had been arrested for domestic assault. S.S. also gave C.T. another Snapchat account for Ludwikoski, identified as username henry\_lud. On the same date, Affiant contacted Detective Steve Grigsby, Lenexa Police Department, who provided writer with the incident report concerning Ludwikoski's arrest from the night before. Ludwikoski was identified as Henry D. Ludwikoski, DOB: [REDACTED], residing at [REDACTED] Lenexa, Kansas.

12. On November 05, 2020, Affiant and FBI Task Force Officer David Albers interviewed S.S. regarding Ludwikoski. S.S. indicated she was Ludwikoski's girlfriend and they were together for approximately 11 months. In July 2020, S.S. moved in with Ludwikoski and two male roommates, William Goode and Steven Walters. On the evening of November 04, 2020, S.S. received a message via Instagram from a female named M.R.G. M.R.G. contacted S.S. after realizing S.S. was Ludwikoski's girlfriend. M.R.G. told S.S. Ludwikoski was cheating on S.S. with her. When S.S. confronted Ludwikoski with this information, the two argued and Ludwikoski began hitting and choking S.S. Goode heard the argument and called 911, and Ludwikoski was arrested for domestic violence. Later that evening, S.S. went through the **SUBJECT DEVICE** looking for evidence of communications with other women. In his Venmo application, S.S. noted that Ludwikoski sent M.R.G. \$1.00 with the message, "slimjim5500 Add." S.S. logged into the slimjim5500 account on her cellphone using Snapchat. S.S. was able to log into the account by guessing Ludwikoski's password, Gr8fuldead, a password that Ludwikoski commonly used. In the slimjim5500 account, S.S. noted that Ludwikoski had received numerous nude images of females, sent pictures of his penis to females, and also sent pictures of S.S. and Ludwikoski engaged in various sex acts. It appeared to S.S., that the females who sent nude images to Ludwikoski were adults. S.S. and Goode sent messages to some of the females Ludwikoski was communicating with, indicating Ludwikoski had been dating S.S. and that he was arrested for domestic abuse. S.S. provided Affiant with the **SUBJECT DEVICE** and the password to the device. S.S. knew the password because Ludwikoski had previously given it to her. S.S. did not know how long Ludwikoski had owned the **SUBJECT DEVICE**, but he had not purchased a new cellphone since the time they started dating. Affiant also showed S.S. the picture of three males sitting in a vehicle that was sent to MV by slimjim5500. S.S. identified the

male with dark hair wearing a gray t-shirt as Ludwikoski. S.S. identified the other two males as her roommates, Goode and Walters.

### **DEFINITIONS**

13. The following definitions apply to this Affidavit and to **Attachment B** to this Affidavit:

- a. “Child Erotica,” as used herein, means materials demonstrating a sexual interest in minors, including fantasy narratives, cartoons, and books describing or alluding to sexual activity with minors, sexual aids, children's clothing catalogues, and child modeling images.
- b. “Visual depictions” include undeveloped film and videotape, and data stored on computer disk or by electronic means, which is capable of conversion into a visual image. *See* 18 U.S.C. § 2256(5).
- c. “Sexually explicit conduct” means actual or simulated (a) sexual intercourse, including genital-genital, oral-genital, or oral-anal, whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the genitals or pubic area of any persons. *See* 18 U.S.C. § 2256(2).
- d. “Internet Protocol address” (or simply “IP address”) is a unique numeric address used by computers on the Internet. IP addresses can be dynamic, meaning that the Internet Service Provider (ISP) assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be static, if an ISP assigns a user’s computer a particular IP address that is used each time the computer accesses the Internet.
- e. “The Internet” is a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.
- f. “Computer,” as used herein, is defined pursuant to 18 U.S.C. § 1030(e)(1), as “an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device.”

g. “Computer hardware,” as used herein, consists of all equipment that can receive, capture, collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, or similar computer impulses or data. Computer hardware includes any data-processing devices (including, but not limited to, central processing units, internal and peripheral storage devices such as fixed disks, external hard drives, floppy disk drives and diskettes, and other memory storage devices); peripheral input/output devices (including, but not limited to, keyboards, printers, video display monitors, and related communications devices such as cables and connections), as well as any devices, mechanisms, or parts that can be used to restrict access to computer hardware (including, but not limited to, physical keys and locks).

h. “Computer software,” as used herein, is digital information that can be interpreted by a computer and any of its related components to direct the way they work. Computer software is stored in electronic, magnetic, or other digital form. It commonly includes programs to run operating systems, applications, and utilities.

i. “Computer passwords and data security devices,” as used herein, consist of information or items designed to restrict access to or hide computer software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password (a string of alpha-numeric characters) usually operates a sort of digital key to “unlock” particular data security devices. Data security hardware may include encryption devices, chips, and circuit boards. Data security software of digital code may include programming code that creates “test” keys or “hot” keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or “booby-trap” protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

j. The terms “records,” “documents,” and “materials,” as used herein, include all information recorded in any form, visual or aural, and by any means, whether in handmade form (including, but not limited to, writings, drawings, painting), photographic form (including, but not limited to, microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, photocopies), mechanical form (including, but not limited to, phonograph records, printing, typing) or electrical, electronic or magnetic form (including, but not limited to, tape recordings, cassettes, compact discs, electronic or magnetic storage devices such as floppy diskettes, hard disks, CD-ROMs, digital video disks (DVDs), Personal Digital Assistants (PDAs), Multi Media Cards (MMCs), memory sticks, optical disks, printer buffers, smart cards, memory calculators, electronic dialers, Bernoulli drives, or electronic notebooks, as well as digital data files and printouts or readouts from any magnetic, electrical or electronic storage device).



k. “Computer-related documentation,” as used herein, consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use computer hardware, computer software, or other related items.

**BACKGROUND ON COMPUTERS, CELL PHONES, AND CHILD PORNOGRAPHY**

14. Computers and cell phones basically serve four functions in connection with child pornography: production, communication, distribution, and storage.

15. The storage capacity of the electronic storage media used in home computers and cell phones has grown tremendously within the last several years. These drives can store thousands of images at very high resolution.

16. A user can set up an online storage account from any computer or cell phone with access to the Internet. Evidence of such online storage of child pornography is often found on the user’s computer or cell phone. Even in cases where online storage is used, however, evidence of child pornography can be found on the user’s computer or cell phone in most cases.

17. Peer to Peer (P2P) file sharing allows people using P2P software to download and share files with other P2P users using the same or compatible P2P software. P2P software is readily available on the Internet and often free to download. Internet connected devices such as computers, tablets and smartphones running P2P software form a P2P network that allow users on the network to share digital files. There are many P2P networks and is a common manner for users to acquire and share child pornography files.

**SPECIFICS OF SEARCH AND SEIZURE OF COMPUTER SYSTEMS**

18. Searches and seizures of evidence from cellular phones commonly require agents to download or copy information from the cellular phone to be processed later in a laboratory or other controlled environment. This is almost always true because of the following:

a. Computer storage devices (like hard disks, diskettes, tapes, laser disks, magneto opticals, and others) can store the equivalent of thousands of pages of information. Especially when the user wants to conceal criminal evidence, he or she often stores it in random order with deceptive file names. This requires searching authorities to examine all the stored data to determine whether it is included in the warrant. This sorting process can take days or weeks, depending on the volume of data stored, and it would be generally impossible to accomplish this kind of data search on site; and

b. Searching computer systems for criminal evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some systems and applications, so it is difficult to know before a search which expert should analyze the system and its data. The search of a computer system is an exacting scientific procedure which is designed to protect the integrity of the evidence and to recover even hidden, erased, compressed, password-protected, or encrypted files. Since computer evidence is extremely vulnerable to tampering or destruction (which may be caused by malicious code or normal activities of an operating system), the controlled environment of a laboratory is essential to its complete and accurate analysis.

19. In order to fully retrieve data from a computer system, the analyst needs the actual electronic device.

**SEARCH METHODOLOGY TO BE EMPLOYED**

20. The search procedure of electronic data contained in computer hardware, computer software, memory storage devices, and/or cell phones may include the following techniques (the following is a non-exclusive list, as other search procedures may be used):

a. examination of all of the data contained in such computer hardware, computer software, memory storage devices, and/or cell phone to view the data and determine whether that data falls within the items to be seized as set forth herein;

- b. searching for and attempting to recover any deleted, hidden, or encrypted data to determine whether that data falls within the list of items to be seized as set forth herein (any data that is encrypted and unreadable will not be returned unless law enforcement personnel have determined that the data is not (1) an instrumentality of the offenses, (2) a fruit of the criminal activity, (3) contraband, (4) otherwise unlawfully possessed, or (5) evidence of the offenses specified above);
- c. surveying various file directories and the individual files they contain;
- d. opening files in order to determine their contents;
- e. scanning storage areas;
- f. performing key word searches through all electronic storage areas to determine whether occurrences of language contained in such storage areas exist that are likely to appear in the evidence described in **Attachment B**; and/or
- g. performing any other data analysis technique that may be necessary to locate and retrieve the evidence described in **Attachment B**.

**CHARACTERISTICS COMMON TO INDIVIDUALS INVOLVED IN THE  
DISTRIBUTION, RECEIPT, OR POSSESSION OF CHILD PORNOGRAPHY  
OR IN THE CONSPIRACIES OR ATTEMPTS TO COMMIT THOSE CRIMES**

21. As set forth above, probable cause exists to believe the **SUBJECT DEVICE** produced, received and/or possessed child pornography and/or contains evidence that Ludwikoski traveled to engage in sexual activity with a minor, or has conspired or attempted to commit these crimes. Based upon my knowledge, experience, and training in child pornography investigations, and the training and experience of other law enforcement officers with whom I have had discussions, I know that there are certain characteristics common to individuals involved in such crimes:

- a. Those who distribute or possess child pornography, or who conspire or attempt to commit these crimes may receive sexual gratification, stimulation, and satisfaction from contact with children; or from fantasies they may have viewing children engaged in sexual activity or in sexually suggestive poses, such as in person, in photographs, or other visual media; or from literature describing such activity.
- b. Those who distribute or possess child pornography, or who attempt or conspire to commit these crimes may collect sexually explicit or suggestive materials, in a variety of media, including photographs, magazines, motion

pictures, videotapes, books, slides and/or drawings or other visual media. Such individuals often times use these materials for their own sexual arousal and gratification. Further, they may use these materials to lower the inhibitions of children they are attempting to seduce, to arouse the selected child partner, or to demonstrate the desired sexual acts.

c. Those who distribute or possess child pornography, or who attempt or conspire to commit these crimes often possess and maintain copies of child pornographic material, that is, their images and videos for a lengthy period of time.

d. Likewise, those who distribute or possess child pornography, or who attempt or conspire to commit these crimes often maintain their collections that are in a digital or electronic format in a safe, secure, and private environment, such as a computer and surrounding area. **These collections are often maintained for several years and are kept close by, usually at the individual's residence or on their personal electronic device, to enable the collector to view the collection, which is valued highly.**

e. Those who distribute or possess child pornography, or who attempt or conspire to commit these crimes also may correspond with and/or meet others to share information and materials; rarely destroy correspondence from other child pornography distributors/collectors; conceal such correspondence as they do their sexually explicit material; and often maintain lists of names, addresses, telephone numbers, and social media usernames of individuals with whom they have been in contact and who share the same interests in child pornography.

f. Subscribers to websites that are primarily designed to provide child pornography have a strong likelihood of being collectors of child pornography. This high degree of correlation between subscription and collection behavior has been repeatedly confirmed during several recent nationwide law enforcement initiatives.

g. Those who distribute or possess child pornography, or who attempt or conspire to commit these crimes prefer not to be without their child pornography for any prolonged time period. This behavior has been documented by law enforcement officers involved in the investigation of child pornography throughout the world.

### **CONCLUSION**

22. Based on the aforementioned factual information, your Affiant respectfully submits that there is probable cause to believe that the **SUBJECT DEVICE**, more fully described in **Attachment A**, is involved in the production, receipt and/or possession of child pornography, in violation of 18 U.S.C. §§ 2251 and 2252, and traveling to engage in sexual activity with a minor, in

violation of 18 U.S.C. § 2423. Additionally, there is probable cause to believe that evidence of the commission of criminal offenses, namely, violations of 18 U.S.C. §§ 2251, 2252 and 2423, is located in the **SUBJECT DEVICE** described above, and this evidence, listed in **Attachment B** to this affidavit, which is incorporated herein by reference, is contraband or things otherwise criminally possessed, or property which is or has been used as the means of committing the foregoing offenses.

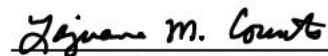
23. Your Affiant, therefore, respectfully requests that the attached warrant be issued authorizing the search of the **SUBJECT DEVICE**, described in **Attachment A**, and the search and seizure for the items listed in **Attachment B**.




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Ashley L. Davis  
Special Agent  
Federal Bureau of Investigation

Sworn and subscribed before me  
this 8th day of January 2021. Sworn to by telephone  
3:32 PM, Jan 8, 2021




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HONORABLE LAJUANA M. COUNTS  
United States Magistrate Judge  
Western District of Missouri

